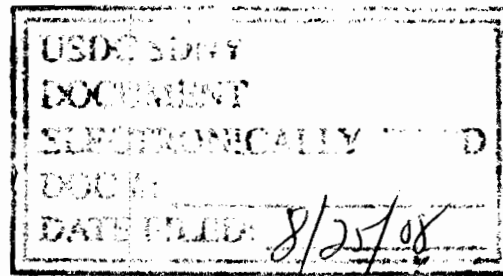




THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, N.Y. 10007

MICHAEL A. CARDOZO
Corporation Counsel



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Labor and Employment Law Division
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August 23, 2008

VIA FACSIMILE (Fax: (212) 805-4268)

Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMORANDUM ENDORSED

Re: Eric Edwards v. City of New York, 08 Civ. 3134 (DLC) (GWG)

Dear Judge Gorenstein:

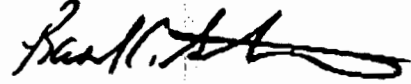
I am an Assistant Corporation Counsel in the Labor and Employment Law Division of the New York City Law Department and the attorney assigned to the defense of the City of New York in this action brought by plaintiffs pursuant to the Fair Labor Standards Act. I am writing to respectfully request an indefinite adjournment of the settlement conference currently scheduled for August 28, 2008 at 2:45 p.m. There are several reasons for this request. First, William Rand has recently replaced the Law Offices of Paul B. Weitz & Associates as co-counsel for Jeffrey Gottlieb, Esq., and needs additional time to obtain and review the records that were provided to Mr. Weitz's office. As such, plaintiffs have not yet provided the City of New York with a settlement demand. Moreover, Judge Cote recently denied defendant's motion to dismiss the donning and doffing claim, and thus defendant will need additional time to consider the possibility of settlement. Mr. Rand consents to this request and this is the parties' second request for an adjournment of the settlement conference. The parties also respectfully submit that when we are prepared to discuss settlement with Your Honor, we will contact Chambers to schedule a settlement conference.

Furthermore, prior to rendering a decision on defendant's motion to dismiss, Judge Cote granted defendant's request that its answer to the complaint be stayed pending the Court's decision. Given that Judge Cote has now denied defendant's motion to dismiss, the defendant respectfully requests until September 5, 2008 to answer the complaint.

In view of the foregoing, it is respectfully requested that Your Honor indefinitely adjourn the settlement conference in this matter, and grant defendant's request for an extension of time to answer the complaint until September 5, 2008.

Thank you for your consideration in this regard.

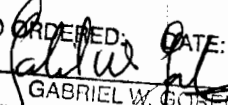
Respectfully submitted,



Basil C. Sitaras (BS-1027)
Assistant Corporation Counsel

cc: William C. Rand, Esq. (Via Facsimile)
Law Office of William Coudert Rand
711 Third Ave., Suite 1505
New York, N.Y. 10017
Fax: (212) 599-7909

*Conference adjourned sine die.
The parties shall contact the Court when they
are prepared to discuss settlement.
Any request regarding matters other than settlement
must be made to Judge Cote.*

SO ORDERED:  DATE: 8/15/2008
GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE